

PURPOSE

The Michigan Department of Health and Human Services (MDHHS) must investigate all allegations of abuse or neglect relating to any child in foster care. MDHHS must ensure that allegations of abuse or neglect relating to any child in foster care are not inappropriately screened out for investigation. In addition, when MDHHS transfers a complaint to another agency for investigation, the supervising agency must independently take appropriate action to ensure the continued safety and wellbeing of the child.

Note: Anytime the supervising agency believes that a child in foster care is at risk of harm, the supervising agency is required to immediately secure the child's safety. If the supervising agency suspects that a child in foster care has been abused or neglected, the agency must make a complaint to Centralized Intake (CI); see [FOM 722-13, Referrals to Children's Protective Services \(CPS\)](#), and [FOM 722-03, Placement Selection and Standards](#).

Definitions

Immediately, for this item: occurring no later than one business day following the receipt of the intake decision notification from CI.

Maltreatment in care, for this item: the allegations of abuse or neglect relating to any child under the care and supervision of MDHHS.

Receiving agency, for this item: the agency to whom CI assigns or transfers a complaint of maltreatment involving a child in foster care.

Supervising agency, for this item: the agency that has direct case management responsibility for a child in foster care.

CENTRALIZED INTAKE RESPONSIBILITIES

Intake Decision Notification

When a complaint alleges abuse or neglect of a child with an open foster care or adoption program type, or when a child with an open foster care or adoption program type is placed in a home with an alleged perpetrator, CI will send an intake decision notification to all

active caseworkers and supervisors on the child's case. When a provider is linked to the intake, CI will also send a notification to the licensing worker and supervisor assigned to the provider record. The notification will contain:

- Intake ID.
- Case Name.
- Allegations.
- Screening decision.
 - Accept and Link.
 - Accept and assign for field investigation.
 - Reject complaint.
 - Transfer to another county or agency for investigation.
 - Withdraw complaint.
- Screening decision comments.

Note: A screening decision of Accept and Link occurs when CI assigns the complaint to local Children's Protective Services (CPS) or Children's Protective Services - Maltreatment in Care (CPS-MIC) for investigation and there is already an active investigation regarding other allegations.

If the complaint is assigned or transferred to one of the following agencies for investigation, the intake decision notification will indicate the receiving agency:

- CPS, including:
 - CPS-MIC.
 - Local office CPS.
 - Tribal CPS.
- Law enforcement/prosecuting attorney (LE/PA), including:
 - Local, state, or federal law enforcement.
 - Military law enforcement.
 - Tribal law enforcement.
- MDHHS Division of Child Welfare Licensing (DCWL).
- Michigan Department of Licensing and Regulatory Affairs (LARA).

FOSTER CARE CASEWORKER/ SUPERVISOR RESPONSIBILITIES

All complaints involving children with an open foster care program type require action by the caseworker and supervisor, **regardless**

of the screening decision or whether the child was the alleged victim.

Immediately, but no later than one business day following receipt of the intake decision notification from CI, the caseworker or supervisor for each child included in the complaint must:

- Review the intake decision notification and assess the urgency level; see *Exhibit I: Complaint Urgency Level Decision Tree* in this item.
- If CI assigned or transferred the complaint for investigation, coordinate with the identified agency listed in the notification to the extent determined necessary by the caseworker and supervisor.
 - When the notification identifies DCWL as the receiving agency, the caseworker's coordination requirements are determined by the child's placement setting at the time of the alleged maltreatment; see *Coordination with DCWL/LARA* in this item.
 - Coordination efforts with additional agencies may be necessary in certain situations; see *Coordination Requirements* in this item.
- Complete the required contacts to verify the child's safety; see *Contact Standards* in this item.

Note: The caseworker or supervisor is required to meet the contact standards for verifying the safety of the child regardless of whether the receiving agency opens the complaint for investigation.

- Document the following in MiSACWIS **within 5 days of the contact**:
 - Receipt of the notification.
 - Actions the supervising agency took to verify the child's safety.
 - Coordination efforts with the receiving agency and any other agencies involved in the investigation, if required.
 - Any other contacts made as a result of the complaint.

**Complaint
Reconsideration*****Request for Reconsideration***

If the caseworker has additional information **related to the current allegations that may change the screening decision**, the caseworker must request reconsideration of the screening decision and provide the additional information to CI within 24 hours of receipt of the intake decision notification. The caseworker must send the information to the [CI Reconsideration Mailbox](#).

New Complaint

The caseworker must file a new complaint with CI if:

- The caseworker has new information regarding suspected abuse or neglect related to the allegations contained in the intake decision notification that is discovered more than 24 hours after receipt of the intake decision notification.
- The caseworker has new information regarding suspected abuse or neglect unrelated to the allegations contained in the intake decision notification.

See [FOM 722-13, Referrals to Children's Protective Services](#) for information on filing a new complaint.

**Notification from
Local CPS Office**

A CPS investigator may determine during an investigation that a case member or alleged perpetrator whose identity or role was not known to CI at the time of intake is a parent or guardian on an open foster care case. If local CPS notifies the assigned foster care caseworker or supervisor of a parent or legal guardian's involvement in a CPS investigation, all foster care caseworker and supervisor responsibilities in this item must be completed within the timeframes required below, with notification from the local CPS investigator replacing the CI intake decision notification; see *Contact Standards* in this item.

Contact Standards

Contact requirements and timeframes are based on the complaint's urgency level. Caseworkers must review the complaint intake

decision and allegations to determine the urgency level of the complaint; see *Exhibit I: Complaint Urgency Level Decision Tree*.

If the assigned caseworker and/or supervisor are unavailable to contact the child or caregiver within the timeframe required by the complaint's urgency level, another caseworker or supervisor may complete the required contact.

Caseworkers must make every attempt to successfully contact the receiving agency prior to contacting the child or caregiver(s) in order to avoid compromising the receiving agency's investigation. The inability to successfully contact the receiving agency must not delay immediate verification of the child's safety. If the caseworker is unable to make successful contact with the receiving agency, or the receiving agency requests that the caseworker delay making a face-to-face contact with the child beyond the timeframes established in this item, then the caseworker must immediately contact his/her supervisor to determine how to verify the child's safety without interfering with a pending investigation. For requirements specific to each receiving agency, see *Coordination Requirements* in this item.

Note: If the complaint has been assigned to CPS-MIC for investigation, caseworkers and supervisors can contact the [CPS-MIC intake mailbox](#) if needed to ensure timely contact with the assigned CPS-MIC investigator prior to making contact with the child and/or caregiver(s).

High Urgency

For complaints which have a high urgency level, the caseworker or supervisor must complete the following contacts within the timeframes indicated to ensure the child's safety:

- Immediately contact the receiving agency.
- Immediately after consultation with the receiving agency, complete a face-to-face contact with the child to verify the child's safety and establish a safety plan or review the safety plan that is already in place.
- Immediately after consultation with the receiving agency, contact the caregiver to verify the child's safety and establish a safety plan or review the safety plan that is already in place, unless otherwise directed by the receiving agency. Contact

with the foster parent/caregiver must be by phone or face-to-face.

Moderate Urgency

For complaints which have a moderate urgency level, the caseworker or supervisor must complete the following contacts within the timeframes indicated to ensure the child's safety:

- Immediately contact the receiving agency.
- Immediately after consultation with the receiving agency, contact the caregiver to verify the child's safety and establish a safety plan or review the safety plan that is already in place. Contact with the caregiver must be by phone or face to face.
- Within five business days of the receipt of the notification from CI, complete a face-to-face contact with the child.

Exception: If a placement change occurred as a result of the complaint but prior to receipt of the intake decision notification, the face-to-face contact is required within five business days of the placement change; see [FOM 722-06H, Case Contacts](#).

Low Urgency

For complaints which have a low urgency level, the caseworker or supervisor must complete the following contacts within the timeframes indicated to ensure the child's safety:

- Immediately contact the receiving agency, if applicable.
- Immediately after consultation with the receiving agency, the caseworker and supervisor must review the intake decision notification to assess for potential risks to the child's safety and well-being.
 - The caseworker must document the basis for the assessment of the potential risks to the child's safety and well-being in MiSACWIS within five business days.
- Within five business days of the receipt of the notification from CI, the caseworker must have contact with the child and caregiver.

- Contact must be by either phone or face-to-face, as determined necessary by the potential risk to child safety and well-being.
- The required contact is in addition to those required by [FOM 722-06H, Caseworker Contacts](#).

Note: If phone contact is determined appropriate to verify the child's safety, but phone contact with the child is not developmentally appropriate, the caseworker is not required to make phone contact with the child.

COORDINATION REQUIREMENTS

When CI assigns or transfers a complaint for investigation, the caseworker must immediately contact the receiving agency; see *Contact Standards* in this item.

Coordination efforts are **not** limited to the receiving agency. The caseworker must coordinate with all other agencies involved in the investigation of the allegations. Up to four separate investigations may be conducted concurrently when a complaint is received alleging abuse or neglect of a child with an open foster care program type:

- CPS-MIC, local CPS, or tribal CPS will investigate allegations of child abuse or neglect.
- Law enforcement, including tribal or military law enforcement when applicable, will investigate criminal allegations.
- A licensing investigation may be completed by one of the following:
 - DCWL licensing consultants will investigate compliance with child caring institution (CCI) licensing rules.
 - MDHHS local office or placement agency foster care (PAFC) licensing staff will investigate compliance with MCL 722.111 et seq. and foster home licensing rules.
 - LARA will investigate compliance with applicable governing acts and rules as determined by the program/facility type.

- MDHHS local office and/or PAFC foster care staff will investigate the continued appropriateness of the child's placement. If continued placement is not appropriate, but the child's health or safety is not at imminent risk, the caseworker must notify the caregiver of the intent to move the child 14 days prior to the placement change; see [FOM 722-03, Placement Selection and Standards](#).

The caseworker must maintain contact with each agency investigating the allegations through completion of each investigation and/or prosecution, if applicable.

**Coordination with
CPS-MIC and/or
local CPS**

See [FOM 722-13, Referrals to Children's Protective Services \(CPS\)](#). When invited, caseworkers must participate in any dispositional case conferences or family team meetings scheduled as a result of an investigation involving a child in foster care.

If, upon receiving the intake decision notification, the caseworker is unable to make successful contact with the CPS-MIC or local CPS investigator assigned to the investigation, communication must be escalated through the investigator's chain of command until successful contact is made.

**Coordination with
Law Enforcement
and/or the
Prosecuting
Attorney**

When CI transfers a maltreatment in care complaint to LE/PA, including military law enforcement, the caseworker must immediately contact the identified law enforcement agency to determine if an investigation will be opened.

If LE/PA is going to investigate, whether as the receiving agency or in addition to the receiving agency's investigation, the caseworker must inquire how she/he can cooperate with the investigation.

**Coordination with
American Indian
Tribal Unit**

When CI transfers a maltreatment in care complaint to an American Indian tribal CPS or tribal law enforcement unit, the caseworker must contact the tribal unit to determine if an investigation will be opened.

If the tribal unit is going to investigate the allegations, whether as the receiving agency or in addition to the receiving agency's investigation, the caseworker must inquire how she/he can cooperate with the investigation.

**Coordination with
DCWL/LARA*****Coordination with DCWL***

When CI transfers a complaint to DCWL involving maltreatment in care by CCI staff, the caseworker must immediately contact DCWL to determine if an investigation will be opened. Contact information for the DCWL area managers can be found on the [Child Welfare Licensing Division Contact Information](#) page.

When CI transfers a complaint involving an out-of-home placement provider other than a CCI to DCWL, DCWL will determine if the provider is licensed or enrolled.

- If the family is licensed or enrolled, DCWL will notify the certifying agency responsible for the home.
 - The caseworker must immediately contact the assigned certification worker to determine if an investigation will be opened.
 - The caseworker is not required to contact DCWL.
- If the provider is not licensed or enrolled, the supervising agency is responsible for ensuring the child's safety and investigating the continued appropriateness of the child's placement. The caseworker is not required to contact DCWL.

If DCWL or the certifying agency is going to investigate the allegations, the caseworker must inquire how she/he can cooperate

with any special investigation or home assessment; see [FOM 922-2, Foster Family Home Development](#).

Coordination with LARA

When CI transfers a complaint to LARA, the caseworker must immediately contact LARA to determine if an investigation will be opened and to obtain contact information for the person conducting the investigation.

- If the complaint involves a child care program, a children's camp, or an adult foster care program, the caseworker must immediately contact the [Bureau of Community Health Systems Children and Adult Licensing Complaint Mailbox](#). If the caseworker does not receive a response within two business hours, he/she may call the Children and Adult Licensing Complaint Hotline at 866-856-0126.
- If the complaint involves a health facility, the caseworker must immediately contact the [Bureau of Community Health Systems Health Facility Complaint Mailbox](#). If the caseworker does not receive a response within two business hours, he/she may call the Health Facility Complaint Hotline at 800-882-6006.

DOCUMENTATION

Social Work Contacts

Caseworkers and/or supervisors must enter all contacts made as a result of a complaint involving suspected abuse or neglect of a child with an open foster care program type in the social work contact section of MiSACWIS within five business days of the contact. The social work contacts must include all individuals with whom the allegations were discussed, as well as the specific details of any safety plans developed or reviewed as a result of the allegations.

Case Service Plans

The caseworker must assess the impact of the allegations on the child's well-being and document any concerns in the Child Assessment of Needs and Strengths (CANS) and case service plan; see [FOM 722-08B, Foster Care - Child \(Re\)Assessment of Needs and Strengths](#), [FOM 722-08, Foster Care - Initial Service Plan](#), [FOM 722-09, Foster Care - Updated Service Plan](#), and [FOM 722-09D, Foster Care - Permanent Ward Service Plan](#). Any

services referred or provided to ensure the child's well-being as a result of the allegations must be documented in the Parent/Agency Treatment Plan (PATP); see [FOM 722-08C, Foster Care - Parent-Agency Treatment Plan and Service Agreement](#).

Specific details of any safety plans developed or reviewed as a result of the allegations must be documented in the in the *Placement Details* section of the case service plan and must be included in subsequent case service plans as long as the safety plan is in place.

DUPLICATE COMPLAINTS

In some instances, CI may receive multiple separate complaints with duplicate allegations regarding the same incident(s). In these instances, the MDHHS county director, child welfare director, or designee, or PAFC director or designee, may use discretion to waive the required contacts for the duplicate complaints. Contacts for duplicate complaints may be waived if **all** the following apply:

- CI received the duplicate complaints within 30 days of the initial complaint.
- The duplicate complaints contain no new allegations or information that would warrant additional contact with the child or caregiver to ensure the child's safety.
- The caseworker has already completed or plans to complete the contacts required for the initial complaint within the timeframes outlined in *Contact Standards* in this item.

Prior to requesting discretion from the director or designee to waive contacts required for duplicate complaints, the caseworker and supervisor must review the new complaint and previously received complaint to ensure that the new complaint meets the criteria above. The caseworker must document the review of the new complaint and the director or designee's decision in a social work contact.

COMPLAINTS BY THE FOSTER CARE CASEWORKER

The MDHHS county director, child welfare director, or designee, or PAFC director or designee, may use discretion to waive the

caseworker's required contacts with the child and caregiver under *Contact Standards* if the caseworker:

- Was the referral source of the complaint, **and**
- Completed a face-to-face contact with the child and caregiver within one day of making the complaint, **and**
- Established or reviewed a safety plan to address the concerns that lead to the complaint during the face-to-face contact.

The caseworker must document the director or designee's decision in a social work contact within five business days of the decision.

Note: All other contact standards, including contact and coordination with the receiving agency, are still required if additional contact with the child and caregiver is waived.

LEGAL BASE

Modified Implementation, Sustainability, and Exit Plan, Dwayne B. v. Whitmer, No. 2:06-cv-13548, 6.12(a) CPS Investigations, Screening (Commitment 58)

DHHS shall investigate all allegations of abuse or neglect relating to any child in the foster care custody of DHHS (Maltreatment in Care). DHHS shall ensure that allegations of maltreatment in care are not inappropriately screened out for investigation. In addition, when DHHS transfers a referral to another agency for investigation, MDHHS will independently take appropriate action to ensure the safety and wellbeing of the child.

POLICY CONTACT

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox](#).

EXHIBIT I: COMPLAINT URGENCY LEVEL DECISION TREE

